

2009 DRAFTING REQUEST

Bill

Received: **01/26/2009**

Received By: **jkreye**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Hynek**

This file may be shown to any legislator: **NO**

Drafter: **jkreye**

May Contact:

Addl. Drafters:

Subject: **Shared Revenue**

Extra Copies:

Submit via email: **NO**

Pre Topic:

DOA:.....Hynek, BB0527 -

Topic:

Shared revenue reduction allocation

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	jkreye 01/26/2009	bkraft 01/26/2009	rschluet 01/26/2009	_____	sbasford 01/26/2009		S&L
/P2	jkreye 01/27/2009	bkraft 01/27/2009	rschluet 01/27/2009	_____	mbarman 01/27/2009		S&L
/P3	jkreye 01/27/2009	bkraft 01/27/2009	phenry 01/27/2009	_____	lparisi 01/27/2009		S&L
/P4	jkreye 01/30/2009	wjackson 01/30/2009	phenry 01/30/2009	_____	cduerst 01/31/2009		S&L
/P5	jkreye 02/02/2009	bkraft 02/02/2009	phenry 02/02/2009	_____	lparisi 02/02/2009		S&L

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	jkreye 02/11/2009	bkraft 02/11/2009		_____ _____			
/P6	jkreye 02/12/2009	bkraft 02/12/2009	phenry 02/11/2009	_____ _____	lparisi 02/11/2009		S&L
/P7			jfrantze 02/12/2009	_____ _____	lparisi 02/12/2009		S&L
/P8	jkreye 02/13/2009	bkraft 02/13/2009	mduchek 02/13/2009	_____ _____	mbarman 02/13/2009		S&L

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<END>

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/P6	jkreye 02/12/2009	bkraft 02/12/2009	phenry 02/11/2009	_____	lparisi 02/11/2009		S&L
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/P7			jfrantze 02/12/2009	_____	lparisi 02/12/2009		S&L
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/p8 bjk 2/13

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02/11/2009

lparisi
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S&L

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/P6 bjk 2/11 2/11

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

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/P5 bjk 2/2

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/P3 bjk'1/27
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DOA:.....Hynek, BB0527 -

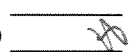
Topic:

Shared revenue reduction allocation

Instructions:

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/P1	jkreye 01/26/2009	bkraft 01/26/2009	rschluet 01/26/2009		sbasford 01/26/2009		S&L

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/P2 bjk'1/27


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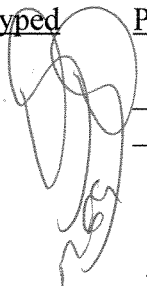
Topic:

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/P1	jkreye	/P1 bjk 1/26					

FE Sent For:

<END>

2009-11 Budget Bill Statutory Language Drafting Request

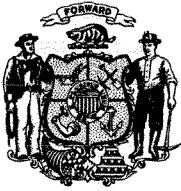
- Topic: Shared Revenue Reduction Allocation
- Tracking Code: BB0527
- SBO team: Tax, Transportation and Budget Development
- SBO analyst: Sara Hynek
 - Phone: 266-1923
 - Email: sara.hynek@wisconsin.gov
- Agency acronym:
- Agency number: 835
- Priority (Low, Medium, High): High

Intent: Separately from the replacement of 5 percent of shared revenue GPR funding with USF revenues, an additional 5 percent cut to shared revenue will be made in FY11 (~~the November~~ payment of calendar year 2010). Please provide that this reduction in the overall county and municipal aid appropriation will be applied to payments in the following manner: the portions of the appropriation that go to counties and to municipalities each will be reduced by 5 percent. Then, divide the amount of the applicable reduction (county or municipal) by statewide property value. This produces a rate that will be multiplied by each local government's equalized value (the county rate for counties, and the municipal rate for municipalities). Equalized values as of January 1, 2010 shall be used to make these calculations.

- end up with the amount of the reduction

- amount of the reduction determined as follows:

170.57



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1784/P1

JK:.....

Lijk

DOA:.....Hynek, BB0527 - Shared revenue reduction allocation

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

SA ✓
x-ref ✓

in 1-26-09

do not gen.

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

SHARED REVENUE

25
5
This bill reduces the amount of county and municipal aid payments in 2010 by five percent. The reduction in total payments is allocated to counties and municipalities in proportion to the equalized value of the property located in the county or municipality.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 79.02 (4) of the statutes is created to read:

3 79.02 (4) (a) For the payments in 2010, the amount of the payment to each
4 county from the county and municipal aid account shall be reduced by a amount
5 determined as follows:

1. Multiply the amount paid to all counties in 2009 from the county and municipal aid account by 0.05.

2. Divide the amount determined in subd. 1. by the value of all property in the state, as determined under s. 70.57.

3. Multiply the property value of the county, as determined under s. 70.57, by the number determined in subd. 2.

(b) For the payments in 2010, the amount of the payment to each municipality from the county and municipal aid account shall be reduced by a amount determined as follows:

1. Multiply the amount paid to all municipalities in 2009 from the county and municipal aid account by 0.05.

2. Divide the amount determined in subd. 1. by the value of all property in the state, as determined under s. 70.57.

3. Multiply the property value of the municipality, as determined under s. 70.57, by the number determined in subd. 2.

SECTION 2. 79.035 (1) of the statutes is amended to read:

79.035 (1) In 2004 and subsequent years, except as provided under s. 79.02 (4), each county and municipality shall receive a payment from the county and municipal aid account in an amount determined under sub. (2).

History: 2001 a. 109; 2003 a. 33, 164, 320, 321.

SECTION 3. 79.043 (4) of the statutes is amended to read:

79.043 (4) Except as provided under s. 79.02 (3) (e) and (4), beginning in 2004 the total amount to be distributed each year to municipalities from the aid account is \$702,483,300.

History: 2003 a. 33, 164 ss. 2 to 6; 2005 a. 25.

SECTION 4. 79.043 (5) of the statutes is amended to read:

1 79.043 (5) Except as provided under s. 79.02 (3) (e) and (4), for the distribution
2 in 2005 and subsequent years, each county and municipality shall receive a payment
3 under this section and s. 79.035 that is equal to the amount of the payment
4 determined for the county or municipality under this section and s. 79.035 in 2004.

History: 2003 a. 33, 164 ss. 2 to 6; 2005 a. 25.

(END)

Kreye, Joseph

From: Hynek, Sara - DOA [Sara.Hynek@Wisconsin.gov]
Sent: Tuesday, January 27, 2009 11:28 AM
To: Kreye, Joseph
Subject: FW: LRB Draft: 09-1784/P1 Shared revenue reduction allocation
Attachments: 09-1784/P1.pdf

Hi Joe – this looks great. However, we now are looking at a 1% reduction rather than a 5% reduction, so your percentages would change. Also, under the 1% scenario, 1 municipality looks like it would have a negative allocation – can we drop in a hold harmless provision so that in this case, no money is owed to the state?

Thanks, and let me know if you have any questions!

Sara Hynek
Dept. of Administration
608-266-1923

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.wisconsin.gov]
Sent: Monday, January 26, 2009 12:19 PM
To: Hynek, Sara - DOA
Cc: Grinde, Kirsten - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-1784/P1 Shared revenue reduction allocation

Following is the PDF version of draft 09-1784/P1.

01/27/2009



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1784/P1

JK:bjk:rs

Stays

RMR

DOA:.....Hynek, BB0527 - Shared revenue reduction allocation

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

in 1-27-09

SA -

one ← *

do not gen.

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

SHARED REVENUE

This bill reduces the amount of county and municipal aid payments in 2010 by 5 percent. The reduction in total payments is allocated to counties and municipalities in proportion to the equalized value of the property located in the county or municipality.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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2 **SECTION 1.** 79.02 (4) of the statutes is created to read:

3 79.02 (4) (a) For the payments in 2010, the amount of the payment to each

4 county from the county and municipal aid account shall be reduced by a amount

5 determined as follows:

except that no payment shall be reduced by an amount that exceeds the amount that the county would otherwise receive from the county and municipal aid account

except that no payment shall be reduced by an amount that the municipality would otherwise receive from the county and municipal aid account

1. Multiply the amount paid to all counties in 2009 from the county and municipal aid account by 0.05%.

2. Divide the amount determined in subd. 1. by the value of all property in the state, as determined under s. 70.57.

3. Multiply the property value of the county, as determined under s. 70.57, by the number determined in subd. 2.

(b) For the payments in 2010, the amount of the payment to each municipality from the county and municipal aid account shall be reduced by a amount determined as follows:

1. Multiply the amount paid to all municipalities in 2009 from the county and municipal aid account by 0.05%.

2. Divide the amount determined in subd. 1. by the value of all property in the state, as determined under s. 70.57.

3. Multiply the property value of the municipality, as determined under s. 70.57, by the number determined in subd. 2.

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(END)



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1784/P2

JK:bjk:rs

stage

RUR

DOA:.....Hynek, BB0527 - Shared revenue reduction allocation

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

SA -

in 1-27-09

do not gen.

1 AN ACT ...; relating to: the budget.

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SHARED REVENUE

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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2 SECTION 1. 79.02 (4) of the statutes is created to read:

3 79.02 (4) (a) For the payments in 2010, the amount of the payment to each

4 county from the county and municipal aid account shall be reduced by ^{an} amount

5 determined as follows, except that no payment shall be reduced by an amount that

1 exceeds the amount that the county would otherwise receive from the county and
2 municipal aid account:

3 1. Multiply the amount paid to all counties in 2009 from the county and
4 municipal aid account by 0.01.

5 2. Divide the amount determined in subd. 1. by the value of all property in the
6 state, as determined under s. 70.57.

7 3. Multiply the property value of the county, as determined under s. 70.57, by
8 the number determined in subd. 2.

9 (b) For the payments in 2010, the amount of the payment to each municipality
10 from the county and municipal aid account shall be reduced by ^{an} amount determined
11 as follows, except that no payment shall be reduced by an amount that the
12 municipality would otherwise receive from the county and municipal aid account:

13 1. Multiply the amount paid to all municipalities in 2009 from the county and
14 municipal aid account by 0.01.

15 2. Divide the amount determined in subd. 1. by the value of all property in the
16 state, as determined under s. 70.57.

17 3. Multiply the property value of the municipality, as determined under s.
18 70.57, by the number determined in subd. 2.

19 **SECTION 2.** 79.035 (1) of the statutes is amended to read:

20 79.035 (1) In 2004 and subsequent years, except as provided under s. 79.02 (4),
21 each county and municipality shall receive a payment from the county and municipal
22 aid account in an amount determined under sub. (2).

23 **SECTION 3.** 79.043 (4) of the statutes is amended to read:

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SECTION 4. 79.043 (5) of the statutes is amended to read:

79.043 (5) Except as provided under s. 79.02 (3) (e) and (4), for the distribution in 2005 and subsequent years, each county and municipality shall receive a payment under this section and s. 79.035 that is equal to the amount of the payment determined for the county or municipality under this section and s. 79.035 in 2004.

(END)

Kreye, Joseph

From: Hynek, Sara - DOA [Sara.Hynek@Wisconsin.gov]
Sent: Tuesday, January 27, 2009 3:19 PM
To: Kreye, Joseph
Subject: FW: LRB Draft: 09-1784/P2 Shared revenue reduction allocation
Attachments: 09-1784/P2.pdf

Hi Joe – I think we are missing a few words on line 11, page 2 – "that exceeds the amount" or something similar to the language for counties. Thanks!

Sara Hynek
Dept. of Administration
608-266-1923

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.wisconsin.gov]
Sent: Tuesday, January 27, 2009 3:09 PM
To: Hynek, Sara - DOA
Cc: Grinde, Kirsten - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-1784/P2 Shared revenue reduction allocation

Following is the PDF version of draft 09-1784/P2.



State of Wisconsin
2009 - 2010 LEGISLATURE

LRB-1784/P3

JK:bjk:ph

+WLJ

DOA:.....Hynek, BB0527 - Shared revenue reduction allocation

FOR 2009-11 BUDGET -- NOT READY FOR INTRODUCTION

ms 1-30-09
D-N

Do Not Gen

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

2 SECTION 1. 79.02 (4) of the statutes is created to read:

subject to par 1(c) 1/9

3 79.02 (4) (a) For the payments in 2010, the amount of the payment to each

4 county from the county and municipal aid account shall be reduced by an amount

5 determined as follows, except that no payment shall be reduced by an amount that

1 exceeds the amount that the county would otherwise receive from the county and
2 municipal aid account.

3 1. Multiply the amount paid to all counties in 2009 from the county and
4 municipal aid account by 0.01.

5 2. Divide the amount determined in subd. 1. by the value of all property in the
6 state, as determined under s. 70.57.

7 3. Multiply the property value of the county, as determined under s. 70.57, by
8 the number determined in subd. 2. *subject to para (c) 20[^]*

9 (b) For the payments in 2010, the amount of the payment to each municipality
10 from the county and municipal aid account shall be reduced by an amount
11 determined as follows, except that no payment shall be reduced by an amount that
12 exceeds the amount that the municipality would otherwise receive from the county
13 and municipal aid account.

14 1. Multiply the amount paid to all municipalities in 2009 from the county and
15 municipal aid account by 0.01.

16 2. Divide the amount determined in subd. 1. by the value of all property in the
17 state, as determined under s. 70.57.

18 3. Multiply the property value of the municipality, as determined under s.
19 70.57, by the number determined in subd. 2.

20 **SECTION 2.** 79.035 (1) of the statutes is amended to read:

21 79.035 (1) In 2004 and subsequent years, except as provided under s. 79.02 (4),
22 each county and municipality shall receive a payment from the county and municipal
23 aid account in an amount determined under sub. (2).

24 **SECTION 3.** 79.043 (4) of the statutes is amended to read:

↓
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2-19

79.043 (4) Except as provided under s. 79.02 (3) (e) and (4), beginning in 2004 the total amount to be distributed each year to municipalities from the aid account is \$702,483,300.

distributions[↓] beginning

SECTION 4. 79.043 (5) of the statutes is amended to read:

79.043 (5) Except as provided under s. 79.02 (3) (e) and (4), for the distribution in 2005 and subsequent years, each county and municipality shall receive a payment under this section and s. 79.035 that is equal to the amount of the payment determined for the county or municipality under this section and s. 79.035 in 2004.

(END)

and ending in 2010

INSERT
3-8

2009-2010 DRAFTING INSERT
FROM THE
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LRB-1784/P4ins
JK:bjk:ph

LPS: Please
check spaces.

Insert 2 - 19

(c) 1. No payment reduction under par. (a) shall exceed an amount equal to 15 percent of the amount of that a county would have otherwise received from the county and municipal aid account in 2010. The department of revenue shall adjust, in proportion to the population of all such counties, the payments of all counties that have reductions of less than 15 percent in order to ensure that no county's payment is reduced by more than 15 percent.

2. No payment reduction under par. (b) shall exceed an amount equal to 15 percent of the amount of that a municipality would have otherwise received from the county and municipal aid account in 2010. The department of revenue shall adjust, in proportion to the population of all such municipalities, the payments of all municipalities that have reductions of less than 15 percent in order to ensure that no municipality's payment is reduced by more than 15 percent.

Insert 3 - 8

~~SECTION 1~~ 79.043 (6) of the statutes is created to read:

79.043 (6) For the distribution in 2011 and subsequent years, each county and municipality shall receive a payment under this section and s. 79.035 that is equal to the amount of the payment determined for the county or municipality under s. 79.02 (4) in 2010.

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1784/P4dn

JK:hjkph

WLJ

Date

✓ ✓ ✓
This draft reconciles LRB-1360/P6, LRB-1690/P1, and LRB-1784/P3. All of these ★
drafts should continue to appear in the compiled bill.

This draft also makes the changes requested in Sara Hynek's e-mail from January 30,
2009.

Joseph T. Kreye
Senior Legislative Attorney
Phone: (608) 266-2263
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Kreye, Joseph

From: Hynek, Sara - DOA [Sara.Hynek@Wisconsin.gov]
Sent: Friday, January 30, 2009 9:07 AM
To: Kreye, Joseph
Subject: FW: LRB Draft: 09-1784/P1 Shared revenue reduction allocation
Attachments: 09-1784/P1.pdf

Hi Joe – can we amend this in a few ways? First, we would like to cap the percentage reduction in any local government's payment at 15%. The unallocated amounts after this first process would then be reallocated to the other local governments (those that have reductions less than 15%) on a per capita basis.

We also would like to make clear that this 1% reduction is a permanent reduction (I think the language currently says only in 2010). We also would like to make clear that this is the only permanent reduction, and that any other additional reductions (meaning, other than the 1% or the ones that occurred in 2003) will be funded by an increase in 20.835(1)(r). (The issue being, we will be funding \$46M of shared revenue out of the new federal appropriation from stimulus monies, but for CY11, that will go away, and we want it to be backfilled with USF and want the local governments to know that is the plan.)

Sorry for all the last minute changes!

Sara Hynek
Dept. of Administration
608-266-1923

From: Schlueter, Ron [mailto:Ron.Schlueter@legis.wisconsin.gov]
Sent: Monday, January 26, 2009 12:19 PM
To: Hynek, Sara - DOA
Cc: Grinde, Kirsten - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-1784/P1 Shared revenue reduction allocation

Following is the PDF version of draft 09-1784/P1.

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1784/P4dn
JK:bjk:ph

January 30, 2009

This draft reconciles LRB-1360/P6, LRB-1690/P1, and LRB-1784/P3. All of these drafts should continue to appear in the compiled bill.

This draft also makes the changes requested in Sara Hynek's e-mail from January 30, 2009.

Joseph T. Kreye
Senior Legislative Attorney
Phone: (608) 266-2263
E-mail: joseph.kreye@legis.wisconsin.gov

Kreye, Joseph

From: Hynek, Sara - DOA [Sara.Hynek@Wisconsin.gov]
Sent: Sunday, February 01, 2009 12:00 PM
To: Kreye, Joseph
Subject: RE: LRB Draft: 09-1784/P4 Shared revenue reduction allocation

Correct. That's the total, for counties and munis.

Sara Hynek
Dept. of Administration
608-266-1923

From: Kreye, Joseph [mailto:Joseph.Kreye@legis.wisconsin.gov]
Sent: Saturday, January 31, 2009 5:54 PM
To: Hynek, Sara - DOA
Subject: RE: LRB Draft: 09-1784/P4 Shared revenue reduction allocation

So beginning with the payments in July 2011, the annual county and municipal aid account appropriation amount would be \$803,421,000?

From: Hynek, Sara - DOA [mailto:Sara.Hynek@Wisconsin.gov]
Sent: Sat 1/31/2009 2:55 PM
To: Kreye, Joseph
Subject: FW: LRB Draft: 09-1784/P4 Shared revenue reduction allocation

Joe, after talking with Kirsten, we thought a couple additional changes might make the whole thing clearer. Specifically, on page 3 section 2, we should say "beginning in 2004 and ending in 2010".... "from the aid account funded through appropriations 20.835(1)(db), (1)(q) and (1)(r)...." (or should it end in 2009?)

That way, it's clear that the \$702M is no longer relevant since we are making the 1% cut permanent for 2010 and after.

I'm leaving right now but can check email in a few hours and will be back in the office tomorrow. Thanks much!

Sara Hynek
Dept. of Administration
608-266-1923

From: Hynek, Sara - DOA
Sent: Saturday, January 31, 2009 2:21 PM
To: Kreye, Joseph - LEGIS
Cc: Grinde, Kirsten - DOA
Subject: FW: LRB Draft: 09-1784/P4 Shared revenue reduction allocation

Joe, if my below message was unclear – in the next biennium, the municipal and county aid appropriation should be set at \$803,421,000.

Sara Hynek
Dept. of Administration
608-266-1923

02/02/2009

From: Hynek, Sara - DOA
Sent: Saturday, January 31, 2009 10:49 AM
To: Kreye, Joseph - LEGIS
Cc: Hanaman, Cathlene - LEGIS; Kraus, Jennifer - DOA; Grinde, Kirsten - DOA
Subject: FW: LRB Draft: 09-1784/P4 Shared revenue reduction allocation

Hi Joe – thanks for adding the 15% item. One more change – I think your section 4 makes it clear that the only cut that is permanent is the 1% cut. However, in the Chapter 20 schedule for 2010 payments, we also will be reducing the GPR county and municipal aid appropriation by \$46M and backfilling it with federal dollars on a one-time basis. We would like to make clear that in the next biennium (for the 2011 payments) that GPR for this reduction will be restored, so that local governments can plan on this funding restoration when setting their budgets in 2010. The 2011 GPR funding level will be the 2010 funding level plus \$46M. I'm not sure how you might craft such a provision, but if you have any questions or need more information, please let me know.

Thanks!

Sara Hynek
Dept. of Administration
608-266-1923

From: Henry, Patty [mailto:Patty.Henry@legis.wisconsin.gov]
Sent: Friday, January 30, 2009 7:43 PM
To: Hynek, Sara - DOA
Cc: Grinde, Kirsten - DOA; Hanaman, Cathlene - LEGIS; Beadles, Kathleen - DOA
Subject: LRB Draft: 09-1784/P4 Shared revenue reduction allocation

Following is the PDF version of draft 09-1784/P4.